

# PAUL HASTINGS

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SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.

10/19/11

October 14, 2011

21166.00048

## VIA HAND DELIVERY

Chambers of Hon. William H. Pauley, III  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2210  
New York, New York 10007

Re: *Bardouille v. Goldman, Sachs & Co.*  
No. 10 Civ. 4285 (WHP) (HBP)

Your Honor:

We represent Goldman Sachs.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/20/11	RECEIVED OCT 17 2011 CHAMBERS OF WILLIAM H. PAULEY U.S.D.J.
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The Court preliminarily approved the settlement of this wage-hour class action by Order dated September 2, 2011. We write on behalf of both Goldman Sachs and Plaintiffs to seek the Court's approval regarding two proposed modifications to the Court's September 2, 2011 Order preliminarily approving settlement of Plaintiffs' class claims.

- ① First, the parties jointly request that the Court adjourn the date for the Final Approval Hearing—currently December 16, 2011—to a date convenient for the Court after January 16, 2012. This adjournment is necessary to accommodate the Court's prior extension of the deadline to mail class notice to November 2, 2011 (see Docket # 138). The new deadline means that class members will have until January 2, 2012 to return their claim forms or elections not to participate, as well as to file objections. It makes sense to reschedule the Final Approval Hearing to a date after all such forms have been received and reviewed.
- ② Second, the parties request that the Court approve two minor edits to class notice, the form of which Your Honor approved on September 2, 2011. While we regret the inconvenience to the Court, both Goldman Sachs and Plaintiffs believe that it is in the class members' best interests to make these two changes, which will make the notice easier to understand and eliminate potential confusion.

The two changes we respectfully ask Your Honor to "so order" are as follows<sup>1</sup>:

### Proposed Change #1

The Named Plaintiffs alleged that they and the Class were denied overtime wages in violation of the above-mentioned federal, New York, and New Jersey laws federal Fair Labor Standards Act ("FLSA"), the New York Labor Law, and the New Jersey Wage and Hour Law, and that Goldman Sachs is responsible for such overtime wages.

*Reason for Change:* There is no prior mention of the laws in the notice.

<sup>1</sup> Proposed deletions are in strike-through; proposed additions are underscored.

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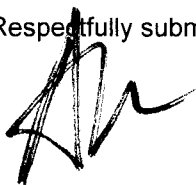
**Proposed Change #2**

The settlement payments will be sent within 20 days after Final Approval (defined below) to Class Members who file valid and timely Claim Forms ~~within 20 days after Final Approval (defined below).~~

*Reason for Change:* The 20-day period relates to the distribution of settlement payments, and not to the filing of Claim Forms.

The parties are available to discuss the proposed changes at the Court's convenience.

Respectfully submitted,



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Christopher Q. Davis  
of THE OTTINGER FIRM, P.C.  
Counsel for Plaintiffs and the Class